

ENROLLED ORIGINAL

A RESOLUTION

18-90

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 21, 2009

To declare the existence of an emergency with respect to the need to amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978 to provide for a quorum of fewer than 3 members to conduct all business of the Public Employee Relations Board if there are fewer than 3 board members.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Public Employee Relations Board Quorum Emergency Declaration Resolution of 2009".

Sec. 2. (a) Section 501(f) of the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-605.01(f)), states: "Any vacancy occurring in the Board shall be filled within 45 days after the occurrence of such vacancy excluding Saturdays, Sundays and legal holidays." This provision expresses the legislative intent regarding the importance and urgency to have an active PERB.

(b) Moreover, D.C. Official Code § 1-605.01(b) states that only "persons who through their experience have demonstrated an expert knowledge of the field of labor relations" are eligible to serve on the PERB. This provision expresses the legislative intent to have highly qualified persons in the field of labor relations reviewing PERB cases.

(c) After analyzing prior work experience, conducting an extensive confirmation hearing, and reviewing the analysis of experts in the fields of labor law and labor relations, the Committee on Government Operations and the Environment determined that nominees of the Mayor for the PERB do not meet the minimum statutory requirements for appointment.

(d) The PERB has not had sufficient members to conduct official business since May of 2008, and there is currently one member on the Board.

(e) There currently exists a backlog of over 60 cases for PERB review.

(f) The Committee on Government Operations and the Environment received testimony that PERB decisions are affirmed 98% of the time when appealed to the courts. Thus, there is a need to strictly enforce the statutory requirement to confirm only qualified appointees.

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(g) The Committee on Government Operations and the Environment and the Committee of the Whole received overwhelming, and consistent, testimony from labor representatives regarding their sincere belief that management appeals all cases, regardless of merit, to a non-functioning PERB as a strategy to circumvent the intended process of labor dispute resolution.

(h) With a dormant PERB, many important collective bargaining disputes and employee appeal cases are without resolution. Testimony from labor representatives stated that some of these cases have been unresolved for over a year. This results in employees being without a job and suffering extreme financial hardship due to appeals by management, to a non-functioning Board, that may be without merit.

Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Public Employee Relations Board Quorum Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-91

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 21, 2009

To declare the existence of an emergency with respect to the need to exempt from taxation certain real property owned by Allen Chapel A.M.E. Church, and its affiliates, that is to be developed as low-income housing for seniors, and to provide equitable real property tax relief to the organization.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption and Equitable Real Property Tax Relief Emergency Declaration Resolution of 2009".

Sec. 2. (a) Allen Chapel African Methodist Episcopal Church, Inc. ("Church"), a tax-exempt District of Columbia corporation that has served the Ward 8 community since 1940, and its affiliates have acquired certain unimproved real property located in Square 5730 with the intent of developing low-income senior housing.

(b) The property owned by the Church and its affiliates is unimproved and has been classified by the Office of Tax and Revenue as Class 3 Property and, for tax years 2006 forward, is subject to a real property tax rate of 10% of the assessed value of the property. This tax assessment is a significant burden on the not-for-profit property owner.

(c) The most recent real estate tax payment was due on March 31, 2009.

(d) The Church, through its affiliate, Allen Chapel AME Learning Center ("Learning Center"), a District of Columbia nonprofit organization, applied for and received a predevelopment grant for its Senior Residential Rental Project ("Project"), located at the corner of Alabama Avenue, S.E., and Naylor Road, S.E. The Project was selected through a competitive process whereby the Office of the Deputy Mayor for Planning and Economic Development requested organizations to apply for the predevelopment grants.

(e) The Church and its affiliates intend to develop the subject property with 75 to 140 units of much needed affordable housing for low-income senior citizens.

(f) Because of the significant tax burden facing the Church and its affiliates, delay in approving the exemption will result in a significant tax liability and may jeopardize the development of the Learning Center.

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Sec. 3. The Council of the District of Columbia determines the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption and Equitable Real Property Tax Relief Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.

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A RESOLUTION

18-92

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

April 21, 2009

To declare the existence of an emergency with respect to the need to exempt from taxation certain real property owned by CEMI-Ridgecrest, Inc. and to require that taxes and charges currently owed by CEMI-Ridgecrest, Inc., for the real property be paid for through a promissory note entered into between the District and the owner.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "CEMI-Ridgecrest, Inc. - Walter Washington Community Center Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Declaration Resolution of 2009".

Sec. 2. (a) CEMI-Ridgecrest, Inc. is a tax-exempt District of Columbia corporation that serves the Ward 8 community.

(b) CEMI-Ridgecrest owns a 3-story building called the Walter Washington Community Center that serves as a training center for adults, a day-care center for infants and toddlers, and a community center that contains office space for social service type programs. The owner has struggled with paying the real estate taxes owed for the community center.

(c) The corporation received funding from the District government to erect the facility.

(d) The current real estate taxes are delinquent and the property tax lien was sold. The building, for which the District government holds a first trust, and the services it houses, are in peril.

(e) CEMI-Ridgecrest partnered with the District government with the expressed purpose to create a facility to serve residents of the Congress Heights and Highlands communities of Ward 8. The only way that this property may received relief from its real property tax obligations is through legislation.

(f) Because of the significant tax burden facing CEMI-Ridgecrest and the Walter Washington Community Center any delay in approving the exemption will result in a significant tax liability and will jeopardize the services and facility that seeks to provide much-needed labor training for adults and day-care for infant and toddlers of the District of Columbia.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the CEMI-Ridgecrest, Inc. - Walter Washington Community Center Real Property Tax Exemption and Equitable Real Property Tax Relief Emergency Amendment Act of 2009 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.